

DISPOSITION: 1-16-57. Consent—claimed by American Sugar Refining Co. The sugar was removed from the bags, labeled as described above, and the bags were destroyed.

23937. Sugar. (F. D. C. No. 40058. S. No. 71-346 M.)

QUANTITY: 54 100-lb. bags at Minneapolis, Minn., in possession of Minneapolis Bottling Co.

SHIPPED: 2-7-57, from Brooklyn, N. Y.

LIBELED: 3-19-57, Dist. Minn.

CHARGE: 402 (a) (3)—contained rodent urine and rodent pellets; 402 (a) (4)—held under insanitary conditions.

DISPOSITION: 5-10-57. Consent—claimed by Minneapolis Bottling Co. Segregated; 700 lbs. denatured and sold to a feed mill.

FEEDS AND GRAINS

23938. Cottonseed meal. (F. D. C. No. 39978. S. No. 545 M.)

INFORMATION FILED: 6-12-57, N. Dist. Tex., against Tindall Cotton Oil Corp., Twitty, Tex.

SHIPPED: 12-19-55, from Texas to Oklahoma.

LABEL IN PART: (Bag) "100 Pounds (Net) Tiger Brand 41% Protein Cottonseed Meal Prime Quality."

CHARGE: 403 (a)—when shipped, the name of the article "Tiger Brand 41% Protein Cottonseed Meal" and the label statement "Crude Protein not less than * * * 41.00 Per Cent" were false and misleading since the article contained less than 41 percent protein.

PLEA: Guilty.

DISPOSITION: 7-22-57. \$500 fine.

23939. Fish meal. (F. D. C. No. 39479. S. Nos. 161 M, 163 M.)

QUANTITY: 150 100-lb. bags, and 280 110-lb. bags at Washington Grove, Md.

SHIPPED: Between 7-19-56 and 8-16-56, from New York, N. Y., by Marine & Animal By-Products Corp.

LABEL IN PART: (Bag) "Fish Meal Produce of South West Africa" "Mapco * * * Product of Chile."

LIBELED: 9-25-56, Dist. Md.

CHARGE: 402 (b) (1)—a valuable constituent, fish meal, had been wholly or in part omitted from the article when shipped; and 402 (b) (2)—poultry feathers had been substituted in part for fish meal.

DISPOSITION: 10-17-56. Consent—claimed by Marine & Animal By-Products Corp. and relabeled.

23940. Sheep range wafers. (F. D. C. No. 39555. S. No. 25-476 M.)

QUANTITY: 32 100-lb. unlabeled bags at Melville, Mont.

SHIPPED: 2-1-56, from Sioux Falls, S. Dak., by Sharp Milling Co.

LIBELED: 9-14-56, Dist. Mont.

CHARGE: 403 (e)—when shipped, the article failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of contents; 403 (i)

(1)—the label failed to bear the common or usual name of the article; and 403 (1) (2)—the label failed to bear the common or usual name of each ingredient.

DISPOSITION: 5-17-57. Default—destruction.

FISH AND SHELLFISH*

23941. Smelts and chubs. (F. D. C. No. 40093. S. Nos. 62-665/7 M.)

QUANTITY: 1,450 lbs. of smelts and 474 lbs. of chubs at New York, N. Y.

SHIPPED: Between 11-8-54 and 11-9-54, from Boston, Mass., and 5-28-56, from Chicago, Ill.

LIBELED: 3-15-57, S. Dist. N. Y.

CHARGE: 402 (a) (3)—contained rancid fish (smelts), and decomposed fish (chubs) while held for sale.

DISPOSITION: 4-10-57. Default—destruction.

23942. Frozen blowfish tails and frozen mackerel. (F. D. C. No. 40130. S. Nos. 62-673 M, 62-676/7 M.)

QUANTITY: 775 lbs. of blowfish tails in 16 50-lb. ctns. and 703 lbs. of frozen mackerel in 8 ctns., and 4,027 lbs. of frozen mackerel in boxes at Monmouth Beach, N. J.

SHIPPED: Between 6-30-54 and 6-25-56, from New York, N. Y.

LIBELED: 4-10-57, Dist. N. J.

CHARGE: 402 (a) (3)—contained decomposed fish while held for sale.

DISPOSITION: 5-28-57. Default—destruction.

23943. Frozen rosefish fillets. (F. D. C. No. 40125. S. No. 61-193 M.)

QUANTITY: 100 10-lb. ctns., 10 pkgs. each, at Boston, Mass.

LABEL IN PART: (Pkg.) "Georges Bank Frosted Rosefish Fillets."

SHIPPED: The fillets were from fish caught in the waters of the Atlantic Ocean, outside the limits of Massachusetts, by the fishing vessels "Olympia LaRosa" and "Pilgrim" and landed at Boston, Mass., on 3-19-57 and 3-20-57.

LIBELED: 4-5-57, Dist. Mass.

CHARGE: 402 (a) (3)—contained parasitic cysts when shipped.

DISPOSITION: 5-15-57. Default—delivered to a public institution, for use as animal feed.

23944. Frozen walleyed pike fillets. (F. D. C. No. 40056. S. Nos. 56-819/20 M. 71-414/5 M.)

QUANTITY: 28 cases, 4 ctns. each, at Mason City, Iowa.

SHIPPED: 1-19-57, from Winnipeg, Canada, by Booth Fisheries Canadian Co., Ltd.

LABEL IN PART: (Ctn.) "Product of Canada S/F Walleyed Pike Fillets 15 lbs."

RESULTS OF INVESTIGATION: Examination showed the article contained added water in the form of ice, and the weight of the thawed fish was from approximately 8.8 percent to 13.5 percent less than 15 pounds.

*See also Nos. 23977, 23999.